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THIS MESSAGE HAS 5 PAGES INCLUDING THIS SHEET

TO: Commissioner for Patents

FAX NO.: 703-872-9306

FROM: Keith Taboada, Esq.

DATE: March 3, 2004

MATTER: Serial No. 10/055,310 Filed: January 22, 2002

DOCKET NO.: 4150D1/ETCH/DRIE/JB1

APPLICANT: Noorbakhsh, et al.

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

☐ Petition
☐ Disclosure Statement & PTO-1449
☐ Priority Document
☐ Drawings (sheets) informal
☐ Amendment

☒ RCE Transmittal Letter (2 copies)
☒ Fee Transmittal (2 copies)
☒ Deposit Account Transaction
☒ Facsimile Transmission Certificate dated March 3, 2004

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being transmitted by facsimile to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 3, 2004. Facsimile No. (703) 872-9306.

Allyson M. DeVesty
Name of person signing this certificate

Signature and date

Allyson M. DeVesty 3-3-04

256920

PTO/SB/30 (08-03)

Approved for use through 07/31/2008. OMB 0551-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Request for Continued Examination (RCE) Transmittal

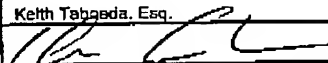
Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/055,310
Filing Date	January 22, 2002
First Named Inventor	Noorbakhsh, et al.
Group Art Unit	1763
Examiner Name	Luz L. Alejandro Mulero
Attorney Docket Number	4150D1/ETCH/DRIE/JB1

This is a Request for Continued Examination (RCE) under 37 C.F.R. 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

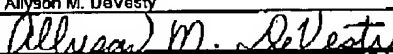
1. **Submission required under 37 C.F.R. 1.114** Note: if the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the appeal brief or Reply brief previously filed on _____
- ii. ☐ Other _____
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)
- b. ☐ Other _____
3. **Fees** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. **20-0782**
- i. ☒ RCE fee required under 37 C.F.R. 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$_____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Kelth Tahgeda, Esq.	Registration No. (Attorney/Agent)	45,150
Signature		Date	March 3, 2004

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the USPTO addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Name (Print/Type)	Allyson M. DeVesty	Date	March 3, 2004
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 422 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

256788

PTO/SB/30 (06-03)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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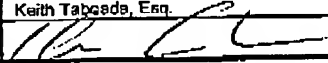
**Request
for
Continued Examination (RCE)
Transmittal**Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
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Application Number	10/055,310
Filing Date	January 22, 2002
First Named Inventor	Noorbakhsh, et al.
Group Art Unit	1763
Examiner Name	Luz L. Alejandro Mulero
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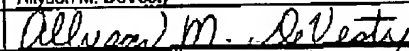
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- i. ☐ Consider the arguments in the appeal brief or Reply brief previously filed on _____
- ii. ☐ Other _____
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- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 20-0782
- i. ☒ RCE fee required under 37 C.F.R. 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Keith Taborda, Esq.	Registration No. (Attorney/Agent)	45,150
Signature		Date	March 3, 2004

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Name (Print/Type)	Allyson M. DeVesty	Date	March 3, 2004
Signature			

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256788

PTO/SB/17 (10-03)

Approved for use through 07/31/2008, OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2004**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 1,190**Complete if Known**

Application Number	10/055,310
Filing Date	January 22, 2002
First Named Inventor	Noorbakhsh, et al.
Examiner Name	Luz L. Alejandro Mulero
Group / Art Unit	1783
Attorney Docket No.	4150D1/ETCH/DRIE/JB1

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit AccountDeposit Account Number
20-0782Deposit Account Name
Moser, Patterson & Sheridan, LLP

The Director is authorized to: (Check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account
FEE CALCULATION**1. BASIC FILING FEE**

Large Fee Code	Entity	Small Fee Code	Entity	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	285	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES

Large Fee Code	Entity	Small Fee Code	Entity	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	85	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	85	2204	43	Reissue independent claims over original patent	
1205	18	2205	9	Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$ 0)

*or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Fee Code	Entity	Small Fee Code	Entity	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	420
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	2451	1,510	Petition to Institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	840	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (a)	
1906	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	770
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 1,190)

SUBMITTED BY

Name (Print/Type)

Keith Taboada, Esq.

Registration No. Attorney/Agent

45,150

Telephone

Complete (if applicable)
(732) 530-9804

Signature

Date

March 3, 2004

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256794

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Examiner Name	Luz L. Alejandro Mulero
Group / Art Unit	1783
Attorney Docket No.	4150D1/ETCH/DRIE/JB1

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money ☐ Other ☐ None

☒ Deposit AccountDeposit
Account
Number

20-0782

Deposit
Account
Name

Moser, Patterson & Sheridan, LLP

The Director is authorized to: (Check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during pendency of this application

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1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	180	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$0)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	0	0	0
Multiple Dependent	0	0	0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
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1204	86	2204	43	Reissue independent claims over original patent	
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SUBTOTAL (2)

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FEE CALCULATION (continued)**3. ADDITIONAL FEES**

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Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$1,190)

Complete (if applicable)

SUBMITTED BY	Name (Print/Type)	Registration No. Attorney/Agent	45,150	Telephone	(732) 530-9404
	Kcith Taboada, Esq.			Date	March 3, 2004
	<i>[Signature]</i>				

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